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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/679,816	10/05/2000	Takashi Sakakura	2565-0210P	8792

7590 06/13/2003

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EXAMINER

NGUYEN, HUY D

ART UNIT	PAPER NUMBER
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2681

DATE MAILED: 06/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/679,816

Applicant(s)

SAKAKURA, TAKASHI

Examiner

Huy D Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 October 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-11 is/are rejected.
- 7) ☒ Claim(s) 6 and 7 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 10 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 10 recites the limitation "the other terminal location database". There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 4, 8, 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Sakuma (U.S. Patent No. 6,317,605).

Regarding claims 1, 8, Sakuma discloses a wireless terminal communication method in a network, comprising: a plurality of wireless terminals (PS1, PS2,...); and a terminal location

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database (location database 101) for controlling the position information of the wireless terminals; and the wireless terminal communication method comprises the steps of: inquiring to the terminal location database by a wireless terminal for a position information of a destination wireless terminal of the wireless terminal and communicating with the destination wireless terminal when the wireless terminal has received the position information of the destination wireless terminal from the terminal location database [Col. 1, lines 40-48, 54-63].

Regarding claim 4, Sakuma discloses a wireless terminal communication method in a network, wherein the terminal location database replies pending to the inquiring step to the terminal location database by the wireless terminal unless the destination wireless terminal is registered; and wherein the terminal location database replies to the inquiry after the destination wireless terminal enters and registers the desired position [Col. 4, lines 18-24].

Regarding claim 11, Sakuma discloses a wireless terminal communication method in a network, wherein the terminal location database refers and replies to the inquiring step the position information of the wireless terminals controlled by the cellular phone network [Col. 1, lines 5-7].

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2-3, 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakuma (U.S. Patent No. 6,317,605) in view of Lambert et al. (U.S. Patent No. 6,470,447).

Regarding claims 2-3, Sakuma fails to disclose the step of broadcasting periodically a position and address of the terminal location database by the terminal location database; and wherein the wireless terminal makes an inquiry to the terminal location database based on the broadcast position and address. Lambert et al. discloses the step of broadcasting periodically a position and address of the terminal location database by the terminal location database; and wherein the wireless terminal makes an inquiry to the terminal location database based on the broadcast position and address [Col. 11, lines 1-6]. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include in Sakuma's method the step of broadcasting periodically a position and address of the terminal location database by the terminal location database; and wherein the wireless terminal makes an inquiry to the terminal location database based on the broadcast position and address as disclosed in Lambert et al. since that helps the mobile users keep track of the database's updated information.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sakuma (U.S. Patent No. 6,317,605).

Regarding claim 5, Sakuma discloses a wireless terminal communication method in a network except that the wireless terminal determines a priority order of the inquiries, and sends the inquiring step according to the priority order. It would have been obvious to one having skill in the art at the time the invention was made to have the wireless terminal determines a priority order of the inquiries, and sends the inquiring step according to the priority order since that makes the processing easier.

Regarding claim 9, the Examiner takes Official Notice that ad hoc wireless network interface is well known in the art for connecting stations without access point.

***Allowable Subject Matter***

7. Claims 6-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claims 6-7, the cited prior art fails to teach that the terminal location database searches for an intermediate terminal to the inquiring step unless the direct communication between the wireless terminal and the destination wireless terminal is possible, and replies to the inquiring step to the terminal location database including the name of the searched intermediate terminals to the wireless terminal.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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- Ayanoglu et al. (U.S. Patent No. 5,822,309) teaches signaling and control architecture for an ad-hoc ATM LAN.
- Toh (U.S. Patent No. 5,987,011) teaches routing method for ad-hoc mobile networks.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D Nguyen whose telephone number is 703-305-3283. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost can be reached on 703-305-4778. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-6750.

HN

June 6, 2003

*Eric S. [Signature]*  
EPIC S. GARY  
PATENT EXAMINER